



General Assembly

Substitute Bill No. 5931

January Session, 2007

* HB05931APP 050407 *

AN ACT CONCERNING ROAD REPAIRS BY UTILITY COMPANIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2007*) In addition to the
2 requirements of sections 16-229 to 16-231, inclusive, of the general
3 statutes, the following provisions shall apply to the excavation of a
4 public highway by a public service company in the municipality that
5 received a grant under section 12-19a of the general statutes, for the
6 fiscal year commencing July 1, 2006, that is in an amount greater than
7 the grant received by any other municipality under said section for
8 said fiscal year:

9 (1) Any permit for local road repair work performed pursuant to a
10 request from an electric, electric distribution, gas, telephone or water
11 company, electric supplier, or municipal utility furnishing electric, gas
12 or water service, as defined in section 16-1 of the general statutes,
13 granted by a municipality shall disclose the name and contact
14 information of said company, supplier or municipal utility for which
15 the road repair work is being performed.

16 (2) The Department of Public Utility Control, in consultation with
17 the Department of Transportation, shall conduct a contested case
18 proceeding to determine (A) the maximum amount of time allowable
19 between temporary and permanent local road repair work performed
20 on behalf of an electric, electric distribution, gas, telephone or water

21 company, electric supplier, or municipal utility furnishing electric, gas
 22 or water service, and (B) a third-party appeals process for disputes
 23 regarding the completeness of the local road repair work in question,
 24 and (C) the amount of the bond required or withheld under
 25 subdivision (4) of this section.

26 (3) A municipality shall inspect all road repair work performed on
 27 behalf of an electric, electric distribution, gas, telephone or water
 28 company, electric supplier, or municipal utility furnishing electric, gas
 29 or water service within one year of any permanent road repair work.
 30 Such work shall be deemed to be sufficient unless the municipality
 31 deems it to be deficient. If the municipality deems the work to be
 32 deficient, it shall direct the entity performing the road work to repair
 33 it.

34 (4) A municipality may require a bond for all anticipated road
 35 repair work performed on behalf of an electric, electric distribution,
 36 gas, telephone or water company, electric supplier, or municipal utility
 37 furnishing electric, gas or water service. The municipality may release
 38 all or a portion of any such bond upon determination that the road
 39 repair work is complete and not deficient. The amount withheld from
 40 release shall be an amount that is equivalent to the cost of road repair
 41 work that is not yet completed or is deficient.

42 Sec. 2. (NEW) (*Effective October 1, 2007*) The municipality that
 43 received a grant under section 12-19a of the general statutes, for the
 44 fiscal year commencing July 1, 2006, that is in an amount greater than
 45 the grant received by any other municipality under said section for
 46 said fiscal year may not require the employment of a police officer to
 47 supervise traffic at construction projects on local roads.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	New section
Sec. 2	<i>October 1, 2007</i>	New section

PD *Joint Favorable Subst.*

APP *Joint Favorable*